

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 JIMMY J. McAfee, et. al.,) Case No.: 5:11-CV-00821-LHK
11 v.)
12 THOMAS FRANCIS, et. al.,) ORDER DENYING REQUEST TO
13 Defendants.) CONTINUE MEDIATION DEADLINE
14 _____)

16 On April 1, 2012, the parties filed a stipulation to continue the April 4, 2012 mediation and
17 the April 7, 2012 deadline to complete mediation, based upon their representation that “[t]he
18 Parties through their lawyers are actively engaged in settlement negotiations,” and “[t]he Parties
19 believe that the settlement negotiations may be successful.” ECF No. 72 at 1. While the Court
20 strongly encourages the parties to settle the above-captioned matter, the mere vague expressions of
21 optimism contained in the parties’ stipulation are insufficient to support continuation of the April 4,
22 2012 mediation session with William Alderman or the April 7, 2012 mediation deadline. In the
23 absence of a stipulated notice of settlement, the Court declines to continue any of these dates at this
24 time. The parties shall file a notice of settlement or dismissal with prejudice by no later than April
25 17, 2012, or if unable to do so, a status report stating that the case did not settle.

26 **IT IS SO ORDERED.**

27 Dated: April 2, 2012


28 LUCY H. KOH
United States District Judge